

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Joint Application of AT&T Communications of California, Inc. (U 5002 C) and WorldCom, Inc. for the Commission to Reexamine the Recurring Costs and Prices of Unbundled Switching in Its First Annual Review of Unbundled Network Element Costs Pursuant to Ordering Paragraph 11 of D.99-11-050.

Application 01-02-024
(Filed February 21, 2001)

Application of AT&T Communications of California, Inc. (U 5002 C) and WorldCom, Inc. for the Commission to Reexamine the Recurring Costs and Prices of Unbundled Loops in Its First Annual Review of Unbundled Network Element Costs Pursuant to Ordering Paragraph 11 of D.99-11-050.

Application 01-02-035
(Filed February 28, 2001)

Application of The Telephone Connection Local Services, LLC (U 5522 C) for the Commission to Reexamine the Recurring Costs and Prices of the DS-3 Entrance Facility Without Equipment in Its First Annual Review of Unbundled Network Element Costs Pursuant to Ordering Paragraph 11 of D.99-11-050.

Application 01-02-034
(Filed February 28, 2001)

**ADMINISTRATIVE LAW JUDGE'S RULING ON
MOTIONS TO FILE UNDER SEAL**

Several motions to file information under seal are currently pending in the above-captioned proceeding. These motions include:

- August 15, 2001¹ motion by Pacific Bell Telephone Company (Pacific) to file propriety cost data for Pacific's loop and switching UNEs under seal. Pacific requests confidential treatment of Attachment A, consisting of a CD-ROM containing cost study data for loop and switching UNEs, because it contains business-sensitive data that is highly relevant to competitive marketing and pricing strategies for these services.
- August 20 joint motion by AT&T Communications of California, Inc. (AT&T) and WorldCom, Inc. (WorldCom) (hereinafter "Joint Applicants") to file portions of testimony and exhibits in support of their motion for interim relief under seal. According to the motion, testimony of Terry L. Murray, John C. Donovan, and Exhibit 3 of Donovan's testimony contain information about Pacific and its parent company SBC that Pacific and SBC consider proprietary.
- September 24 motion by Pacific to file an amendment to its August 15 updated cost study under seal. Pacific requests confidential treatment of Attachment A, a CD-ROM containing cost study data, for the same reasons stated in its August 15 motion.
- October 19 motion by Pacific to file portions of its comments on interim loop pricing under seal. Specifically, Pacific asks for confidential treatment of pages 3 and 6 of Attachment B (Declaration of Scott Pearsons) containing sensitive cost information on certain services.
- October 30 motion by Joint Applicants to file portions of their reply comments regarding interim loop pricing under seal, namely certain pages of their reply comments and the declaration of John C. Donovan. Joint Applicants state that these documents contain information that Pacific claims is confidential and proprietary.
- November 26 motion by Joint Applicants to file under seal portions of their response to a motion to strike interim loop pricing comments.

¹ All dates are 2001 unless otherwise noted.

Joint Applicants state that the response and Attachment A contain information that Pacific claims is confidential and proprietary.

The information described above, if revealed, would provide business-sensitive data of Pacific to its competitors. This could place Pacific at an unfair business disadvantage. The material for which confidential treatment is requested has been made available to parties pursuant to non-disclosure agreements. We have granted similar requests for confidentiality in the past and will do so here.

Therefore, **IT IS RULED** that:

1. The motions listed in this order to file information under seal are granted for two years from the date of this order. During that period the information shall not be made accessible or disclosed to anyone other than the Commission staff except upon execution of an appropriate non-disclosure agreement with Pacific, or on the further order or ruling of the Commission, the Assigned Commissioner, the Assigned ALJ, or the ALJ then designated as Law and Motion Judge.
2. If Pacific, AT&T, or WorldCom, believe that further protection of the information filed under seal is needed, they may file a motion stating the justification for further withholding of the information from public inspection, or for such other relief as the Commission rules may then provide. This motion shall be filed no later than one month before the expiration date of today's protective order.

Dated January 7, 2002, at San Francisco, California.

/s/ DOROTHY J. DUDA

Dorothy J. Duda

Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling on Motions to File Under Seal on all parties of record in this proceeding or their attorneys of record.

Dated January 7, 2002, at San Francisco, California.

/s/ TERESITA C. GALLARDO
Teresita C. Gallardo

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.